HENEIN HUTCHISON LLP
BARRISTERS

VIA EMAIL

August 5, 2022

e-document T-347-22
FEDERAL COURT
COUR FÉDÉRALE
RECEIVED
5-AUG-2022
REÇU
Beatriz Winter
Toronto, ONT
ID 90

Federal Court
180 Queen Street West
Toronto, Ontario
M5V 1Z4

Dear Registry Officer:

RE: Canadian Civil Liberties Associations v Attorney General of Canada
Court File No. T3316-22

We write to update the Court that the CCLA will be withdrawing its motion on Cabinet confidences, which is currently scheduled for August 8–9, 2022. As the Court is aware, the CCLA had previously advised that it would maintain its motion until the delivery of a s. 39 certificate covering the various documents at issue. On the evening of August 4, 2022, the Attorney General delivered such a certificate. Having now had the opportunity to review that certificate, the CCLA has determined that its motion no longer needs to proceed. The withdrawal of this motion should not be interpreted to mean that the CCLA concedes that the Incident Response Group constitutes a Cabinet committee or that the identity of the members of the group, its mandate, its agendas, or its minutes should remain confidential. Instead, the combination of the new s. 39 certificate and the Attorney General's disclosure of much of the information the CCLA was seeking on the motion has rendered the motion more or less moot.

The CCLA still intends to make submissions on Canadian Constitution Foundation's Cabinet confidences motion. As discussed at the case conference on August 2, 2022, and as reflected in the direction issued August 4, 2022, those submissions will focus on Canada's approach to s. 39 (see paragraphs 48 to 68 of the CCLA written representations on its own Cabinet confidences motion).

Yours very truly,
Henein Hutchison LLP

E. Krajewska

Ewa Krajewska

cc: Christopher Rupar (christopher.rupar@justice.gc.ca)
Kathleen Kohlman (kathleen.kohlman@justice.gc.ca)